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## OBSTACLES TO ANNEXATION.

If the checkered career of the tentative Dominion of Canada and a more complete independence of the mother country were fully understood by the student of English colonial history, the tendency, in his opinion, might mean legislative union, but not, necessarily, annexation. We must confess a most positive leaning toward the latter as a *fait accompli*; while, on the other hand, we cannot be ignorant that serious obstacles are to be removed, and threatening dangers are to be avoided, before Canada can become an integral part of the United States.

There is one quality that pertains alike to physical, moral, and political forces—they act in the direction of the least resistance. England will retain the colonies no longer than her own notions of self-interest decide their trade to be profitable. Their market once destroyed by a protective tariff,—as in Australia and Canada,—no motive of self-interest remains to urge their tarrying for a single hour under the ægis of the British flag. Indeed, their tarrying thenceforth becomes a source of expense, with no offset. Therefore they were long ago invited to loose the bond and go apart by themselves. The idea of separation became a living entity when Kimberley—Gladstone's former colonial secretary—allowed Australia to choose her own commercial policy; and the entity gathered strength when Beaconsfield refused to interfere with Sir John A. Macdonald's will regarding the late M. Letellier and the Canadian tariff.

In like manner, the Canadian policy also acts along the line of least resistance. Actual separation is an easy matter—even the London "Times" admitting that the right of self-government, having been conceded to Canada, cannot now be withdrawn, and the Hon. Robert Lowe confessing the temporary nature of the

union of the Empire with all of the colonies. So slight is the tie with Canadians, that their new commercial policy declares their unwillingness to pay a small tax upon their business as the price of British connection; while every allusion to their dependence upon the power across the sea is met with the most rabid assertions that they are able to stand by themselves without asking favors from anybody. Thus the question arises: Has not the Dominion of Canada run away with its creator—the Gladstone government of 1867? For what was first announced by Gladstone, then suffered to pass unchallenged by Beaconsfield, and now once more reiterated by Gladstone,—the charm of Canadian independence,—will it not prove too strong for that sentiment of loyalty which is so beautiful in theory but so unsatisfactory in practice, although made a more tangible thing by dozens of Sevastopol cannon scattered through the provinces?

Jingoism is not popular in the colonies. The opposite of jingoism—the utmost liberty of speech and action—is so far prevalent as to lead Earl Grey to devise some method of saving the Empire intact. He would transform the agents of the various colonies into members of the Privy Council and members of the Committee on Colonial Affairs, such committee to act as a court of oyer and terminer whenever matters regarding the colonies are concerned. And yet, in spite of such a court, Earl Grey declares that England "may decline to go on submitting to the burden" of colonies that are too independent "to conform to the general commercial policy of the Empire."

Thus, the more deeply the subject is studied, the more evident does it become that even the slightest of the forces now at work, both in Canada and in Great Britain, must lead to a speedy and total separation. In the days when British troops were still quartered in Montreal, the late D'Arcy McGee remarked that only three relations were in store for England's greatest provinces:—first, a closer connection between themselves; second, annexation; and third, a neutrality guaranteed by a joint agreement of the great powers. The first method is the present Dominion, so inadequate to the task it set out to accomplish. The second is a probability of the future; but not without difficulties hereinafter to be considered. The third is absurd in the present state of Canadian independence.

The *primal* form into which the actual independence of Canada first crystallizes will probably be a legislative union. One general

parliament will do the work of the many, as now constituted. Provincial legislatures will melt away; the maritime provinces will enjoy a freer intercourse, and the large expenditures for maintenance will be materially reduced. Concentration and economy are the order of the day, even more than they were when Scotland and Ireland were united with England in one common parliament. The purse-strings of Canada must lead to this result, even if all other influences go for naught; and the outlines of legislative union will develop despite the opposition of the French element.

Indeed, no nationality and no political party will be able to prevent legislative union first and annexation afterward; nor will either of these measures be adopted by any of the existing parties. The fate of the late National party gives a sad warning to any political organization that shall be so rash. Commencing life about the year 1874, it protested against the previous lengths to which both conservatives and reformers carried their warfare. Its advocates strove to serve "Canada first" by placing the best men in office; and the world, in the meantime, was to improve so constantly that no parties would be necessary in the Canadian, or any other, State. They conserved the present by advocating the ballot and an income franchise, measures that were soon adopted; but while their further projects of reorganizing the Senate, representing minorities, and cutting loose from England were still under discussion, the National party incontinently died, in spite of Goldwin Smith and the Hon. Mr. Blake.

Should legislative union come, it will come in spite of the Frenchman's fear that harm will befall his religion or his nationality; and he will consent because he considers it but a stepping-stone to a closer union with the United States, a fate which he opposed before the confederation of 1867, but which he now courts because he desires the power with which an American majority is intrusted. This legislative union will come in spite of party protests, because the better men of all parties will see that it is a simple way out of their difficulties, financial and otherwise, a way that even the British North America Act of 1867 provided for; since the act in nowise hints that the present Dominion is more than the best form of government that could be devised at the time.

A legislative union, therefore, is but a John the Baptist preaching the gospel of annexation. It may delay actual union

with the United States for a decade or two; but the irresistible must come to pass. Previous to the year 1873,—when "hard times" came upon the United States,—the French of Canada, and their brethren who had crossed the border, were alike animated with a kindly feeling toward the American Republic. who were actual residents were pleased with their adopted country. They were convinced that annexation would give their countrymen the American character which they prized. Realizing that the open advocacy of such a measure would react upon its promoters,—possibly on account of an apparent lessening of the clergy's influence,—a club of French Canadians was formed in Chicago in 1870. Branches were established in various other centers of population, the object being simply to inform their countrymen of the benefits that would accrue, if all of Canada were absorbed into the United States. But alas! as to the Chicago club, the O'Leary cow kicked it out of existence when it was barely two weeks old, and the subsequent period of depression made it impossible of resuscitation.

First. Looking at the result as inevitable, we are ready to inquire into the conflict of Canadian institutions and customs with the Constitution of the United States, in case the question of admission were to be decided to-day. As a result of these institutions, the matter of finances naturally takes the lead. Time was—and within a decade, too—when the Canadian's only answer to the hint of annexation would be: "Canada doesn't propose to help pay the national debt of the United States." That response is no longer given. The colony is on the verge of bankruptcy, through the extravagance of so many Governors, Executive Councils, and unproductive public works. For instance, the Dominion—which has a population nearly as large as that of the State of New York—is saddled with an annual expense of \$217,266 for its head officials; while the various parliaments cost \$2,240,000. Add to this the expense of education, the administration of justice, the collection of customs, interest on the public works, and the result is a total cost to every man, voter or non-voter, of \$27.25 per annum. The St. Lawrence system of canals was originally contracted for \$19,000,000. The loss for interest charges has been \$32,000,-000; cost of enlarging, \$30,000,000—a total of \$91,000,000 for a highway which will allow the farmers of Illinois to compete with those of Ontario in foreign markets.

A glance at the figures will show the constant increase of the Canadian debt:

Year.	Net Debt.	Charge on Debt.
1867	\$75,728,641	\$
1868	75,757,135	5,221,022
1869	75,859,319	5,799,474
1870	78,209,742	5,513,586
1871	77,706,517	6,013,624
1872	82,187,072	6,074,247
1873	99,848,462	5,795,675
1874	108,324,965	6,503,038
1875	116,008,378	7,373,763
1876	124,551,514	7,432,002
1877	133,235,309	7,833,475
1878	140,362,069	8,486,714
1879	147,481,070	8,509,876
1880	153,025,518	8,420,662

Here is a total of over \$80,000,000 that has been paid for interest alone since 1867, the date of confederation. mencing with that date, the ordinary expenditure of the Government has risen from \$3,500,000 to \$7,000,000; while the total expenditure has increased from \$13,500,000 to its present figure, \$25,000,000. With the exception of Ontario, every one of the provinces is heavily in debt, and resort must be had to direct taxation, the subsidies from the Dominion Government not proving adequate to their maintenance. The consequence is that, in proportion to its resources, the Dominion is more heavily in debt than any solvent State in the American Union. Its financial condition is rapidly growing worse, while that of the United States is materially improving. Beaconsfield, therefore, would have been more correct in his comparison of the two countries (September, 1879), if he had quoted the price of United States bonds in the London market side by side with the heavy discounts upon loans to the Canadian provinces.

The question of Canadian debt is not as easy of settlement now as it was in 1865, when General Banks's bill in the American Congress provided these guarantees: The United States' assuming Canadian debt to the amount of \$85,000,000; guaranteeing \$10,000,000 to the Hudson's Bay Company; appropriating \$50,000-000 for the enlargement of the St. Lawrence canals, and \$2,000,000 for the extension of the American system of railways from Ban-

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gor to St. John's, N. B.—the Intercolonial Railway and the Canadian Pacific Railway to be aided on the same terms as those given to the Northern Pacific Railway by the Act of 1862. If this liberal proposition were renewed to-day, it might be accepted. Whenever the matter of finances comes up for adjustment, much skill and mutual forbearance will be required in its solution; for, in its present aspect, it presents one of the most ready arguments why annexation should not immediately take place.

Second. Aside from delays of a financial nature, the Canadian idea of popular government must undergo a radical change before the path of union is clearly defined. There is no glittering functionary on this side of the line with the title of Governor-General—an official who can originate nothing, and therefore can have no policy; who can veto nothing, and therefore can have no actual power. A mere dependent of the Privy Council, the Canadian Governor-General, to use the sententious language of a prominent conservative editor, "must do what is told him." This is true, even of Lord Lorne, who is supposed to "represent the Queen" more completely than any of his predecessors. spite of his insignificant political duties, the powers of a Governor-General have full play when parliament is to be opened in state, or the social life of Ottawa is to be maintained. consisted Lord Dufferin's popularity; and that he knew enough to eschew politics, we learn from his own lips, just as he was safely freed from the cares of office. During a speech at Belfast (February 22, 1879), he admitted that, although the functions of a colonial executive do not entirely coincide with the attributes of the Crown in England, yet "his touch should be so impalpable as to exempt him from all suspicion of a desire to tamper with the privileges of a self-governing body. He should not consider it a compliment to the head of any self-governing community if he were credited with any independent initiative of his own."

The real power of the Canadian Government being in the hands of the Premier and his ministers, it is the Canadian's boast that this form alone is both "popular and responsible." He declares the President of the United States and his cabinet to be veritable tyrants, in the old Grecian sense of the word; and he advises that all these officers should be made directly responsible to Congress. This is his idea of true republicanism; and, this accomplished, he would be in favor of uniting the two countries. But if the Canadian protestor would look into the history

of his own expensive government by a ministry, he would find that the independence of the Canadian cabinet far exceeds that of the American cabinet. Not one of all the great public measures carried through by the ministry was ever submitted to the Canadian people. County and township councils were erected from district councils; rebellion losses were paid; the Dominion was formed, and reluctant provinces were bought into compliance: the canals were enlarged; paper money was sanctioned; and the Pacific Railway was constructed, so far as it lay in Canadian power, and a syndicate has been allowed to complete it,—all of which measures were carried out by the ministry without even consulting the voters at the polls. Indeed, the leading organ of Sir John A. Macdonald does not hesitate to say that "the Government are the people," while at the same time it declares that the ministry should watch public opinion, and be ready to take any course that may enable them to retain office. The opposition press also declares that all the American constitutions "are defective in that the administrations are too independent of the people." (Toronto "Globe," February 3, 1880.) Whereas, the fair-minded student of history must confess that stability is more readily conserved where the executive and his advisers move in a sphere of action totally distinct from that of the powers which legislate. In a word, the Canadian has not yet grasped the American, and republican, idea of the executive.

Nor is the Canadian idea of the upper house a whit more like the American. A group of elderly gentlemen, who have never originated any important measures, save divorce bills, and whose only policy is to be on the popular side, for fear of personal abuse: a majority of whose seventy-eight life members are the appointees of the present Premier—this is the Canadian Senate of to-day. In spite of popular execration, the senators might readily attach themselves to the waning fortunes of the present, or any other Premier; and thus make it possible for a political leader to regain his lost power. No wonder the opposition press demand the abolition of such a useless body—the ridiculous duplicate of the fast dissolving House of Lords, and the counterpart, in some respects, of the Senate established by the later Napoleon. That the Canadians do not comprehend the scope of the American Senate is not strange; for none of the European nations can offer a substitute that compares with it. Their Crown-appointed, church-appointed, or hereditary upper houses

were not founded, like our own, to check hasty legislation on the part of the popular body, to control the designs of an ambitious executive, and to give representation to each of the sovereign States of the American Union. Nowhere else in the world is there a branch of the government that rises to the dignity and political power that characterize the Senate of the United States.

The Canadian further objects to the American civil service system, or, rather, he has made objection in the past, when the Canadian system was better than it is now, and the American system worse. In this connection, it would be instructive to ask how much of the \$125,000 annually expended for superannuation is paid to men like the one who confessed to the writer, "The Government pays me \$1000 a year to stay away from my desk." we might relate how it was contended by the conservatives that the reformers had introduced the "spoils" system into the lower provinces. As an offset, Sir John A. Macdonald, on retiring in 1873, increased many salaries and made numerous appointments, by two of which Mr. Tilley became Lieutenant-Governor of New Brunswick, and Mr. Crawford Lieutenant-Governor of Ontario. In the case of Mr. Crawford, an antecedent promise of the office made it impossible for him, as a member of parliament. to vote independently on a question which the minister considered tantamount to an impeachment. In the case of Mr. Tilley, a member of the Government had a hand in his own appointment. When the reformers attained the coveted power, they gave out that the "American system" was sure to be adopted in Canada; and they acted accordingly. Consequently the report of Sir John, in 1878, was made the occasion of charging the reformers with feathering their own political nests, and also of declaring that "a modified American system" was best adapted to the wants of the Canadian civil service. The Canadian who shuts his eyes to these facts is also ignorant of the fact that, when the Senate of the United States passed into the hands of the Republicans, in 1861, only one of its officers was removed, and that for disloyalty; although we must confess that more recent attempts have not been to its credit.

Passing now to the source of all power, the people, we find that the Canadian doubts the good effects of universal suffrage. In his own country, he relates that the elections are carried on with the ballot, qualified by a small holding of property, save in Manitoba; and from this he argues in favor of his own system,

with its safeguards against bribery. Yet, even with all these precautions, it was possible, in 1873, to behold a minister squeezing a corruption fund from a public contractor, and himself enjoying the pleasure and profit of its distribution; while the annals of political turpitude would be incomplete without the testimony regarding the member for Niagara (January, 1879) and the Argenteuil election trial (June, 1880).

Third. Even after the Canadian prejudice against the American form of government is removed, there remains a conflict inter se, each province having a different specimen of law. more progressive provinces have the English common law; Nova Scotia and Prince Edward's Island retaining the debtor's prison, with all the horrors portrayed by Dickens when he limned its antetype in London. The English and statutory criminal law is retained in such provinces as Manitoba and Quebec, which have substituted the code civil de Québec for the old French law. Thus, while each province has control over all questions of property and civil rights, even the residuum of power vested in the Dominion Government does not save it from humiliation. It has been decided that the provincial courts have jurisdiction in relation to the trial of protested Dominion elections; and that the province of Quebec (Dobie case) has the right to amend the original acts of the old province of Canada. As if to increase the confusion of legal tongues, the newly erected Supreme Court appears to have no more power than is vested in the various appellate courts already existing, a fact which was recognized by the Mackenzie government, when it refused to ask an opinion in the Letellier case of 1878. To these we must add the further facts that the criminal law of the Dominion is not yet codified; that evidence of the accused party is still excluded; that a divorce court is vet to be erected; and that parliament is still rejecting the bill allowing marriage with a deceased wife's sister.

When we pass from a general glance at the internecine conflict of Canadian laws to the examination of their practical workings, we discover a direct antagonism with the Constitution of the United States. At the time of the conquest, all the religious bodies were protected in their rights and property by a special article in the terms of capitulation. By good management this property has increased to such an extent that, in Montreal, the Sulpicians have taken every square foot on which the *lod et vents* had not been commuted. Other orders of the same church also

share in holding the best real estate in the larger cities—all of which is exempt from taxation as church property, although some of it is actually in use for manufacturing purposes. Such remarkable privileges are certainly not in accord with our own Constitution, which premises that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof"—a prohibition which also means that no one religious body shall enjoy privileges that are denied to all others.

In the matter of civil rights, also, there is a most dangerous conflict with our Constitution, which provides that Congress shall make no law "abridging the freedom of speech or of the press," meaning that all shall share alike in such freedom. Opposed to this is the French law of the province of Quebec, a law that serves ecclesiasticism almost as well as the original patent of Louis XIV. to the "hundred partners." The civil power is defied. Bishop Bourget shakes his fist at the British Privy Council, and curses the ground in which Guibord is buried. He declares that every curé must advise his parishioners of the part they are to play in politics. When Mgr. Taschereau, archbishop of Quebec, issues his mandement to the effect that the church must not interfere in politics, the world applauds the assertion of civil liberty in Quebec; but the applause ceases when a curé appears in court, and admits that he did not obey the summons as a witness until he had first received permission from his superior ecclesiastical officer.

Time would fail if we should attempt to consider this branch of the subject more in detail. One more example must suffice. The result of an election in Quebec was largely affected by the use of the terrors of the church to control the votes of parish-The Supreme Court of the Province—a majority belonging to that church-decided (Charlevois case) that, by threatening voters with spiritual punishment or by denying them the sacrament, the priests were guilty of intimidation and were, therefore, answerable to the civil courts. Thereupon the Bishop of Rimouski issued a pastoral full of abuse toward the judges. and declaring that neither parliament nor the judges were competent to interfere. Fortunately for the cause of civil liberty, this attempt to coerce the bench met with an ignominious failure; but the fact that such an attempt was made, shows the unwillingness of many Canadian people to accept the American definition of a State as totally independent of a church.

This point is made clearer by a brief reference to the troubles with the Orangemen. In this same province of Quebec, the legislature of 1878 enacted a law that no religious procession should be allowed unless the consent of the constituted church authorities was first obtained. Of course the Orangemen are unable to obtain such consent, and consequently they are unable to parade. In fact, they were positively forbidden to do so by Mayor Beaudry, of Montreal, who was in turn sued by an Orangeman, in order to fix the legal status of the organization to which he belonged. The suit still drags its slow length along. To Americans it is evident that all parties have a right to parade if any have the right—a question that was settled in the city of New York, on the 12th of July, 1871, in a most emphatic manner.

Closely connected with the law of the Dominion and the component provinces are the so-called public schools. We say "so called," for Canada does not appear to have a free school within her borders. Fifty years ago, a bill was passed for the election of trustees in place of the fabriques by the land-holders of each parish. The former system has thus been superseded by a different kind of school policy for each province. The schools of Prince Edward's Island are open to all. Public schools were established in 1871; but, in 1875, "separate" schools for Roman Catholics were constituted. In Manitoba, the Board of Education consists of seven Protestants and seven Catholics. Separate schools for Catholics have been provided in Ontario since 1851: and of late they have proved very annoying, because of the archbishop's refusal to give an account of the moneys transferred to him. Quebec has a minister of public instruction, assisted by a council of fourteen Catholics and seven Protestants, appointed by the Lieutenant-Governor. The school system is in the hands of the Catholics; but when a Protestant minority in any district becomes sufficiently powerful, "dissentient" schools are established. The school funds are raised by a tax—the property being so placed in "panels" that a Protestant can pay his taxes for dissentient schools, and a Catholic to the regularly constituted public schools. The situation is reversed in Ontario—the Catholic minority having the name of "separate" for their schools. Both the separate and the dissentient schools are guaranteed by a constitutional prohibition to legislate upon such matters. Having thus persisted in a division of the school funds, and,

in addition thereto, levied a specified sum each week upon each pupil in attendance, how shall the Canadian accept the school of America, absolutely free to all, and sustained by a fund that is not allowed to be divided among the various churches?

Fourth. So far as social life in Canada is concerned, there would be many difficulties in the way of annexation. The movement would be opposed by the numerous small officials of the Dominion whose future would be uncertain in the States. Comparatively great men in a population of five millions become rather insignificant when those five millions are absorbed in a nation of fifty millions. Who can expect that Sir John A. Macdonald will give up his seat in the imperial Privy Council, and his title as well? Or that the other prominent Canadians who were knighted on the sixtieth and sixty-first anniversaries of the Queen's birth, will become plain "Sam" Tilley, "Alec" Campbell, and so on, just as they were before their decorations were bestowed? Even Mirabeau grumbled when the revolution abolished all titles, and left him plain "Citizen Riquetti."

In the matter of public displays, also, what havoe will be wrought by annexation! The "opening in state" of both Dominion and provincial parliaments will become a thing of the past, and the Lieutenant-Governor of Ontario can lay aside his white satin breeches, red coat, and cocked hat, with a plume of many colors. The etiquette that requires one kind of flag for royalty, another for the Governor-General, and a third for the Lieutenant-Governor, must hie away to a more genial clime. The carved coats of the royal arms upon public buildings—shall they remain? Or shall the gorgeous red and yellow throne that did duty for the railway receptions of Lorne and Louise exist as a constant though harmless menace to republican institutions?

And yet the very social life of the Canadians may be that pivot upon which annexation will turn. Many of their most active business men and publicists are natives of the United States. The Senate has held such Americans as Messrs. Foster and Leonard; the House, Messrs. Currier, Plumb, Holton, Rynal, Miller, Wisner, and Colby; the Cabinet, Messrs. Huntington and Pope. The very founder of the lumber interest was Mr. Philemon Wright, who left Massachusetts eighty years ago for the site of Ottawa; and among his countrymen who have contributed to Canadian greatness in the same line of trade are Messrs. Eddy,

Merrill, Bronson, Perley, Baldwin, and Pattee. Then, too, almost every Canadian family has a representative in the United States. How foolish, therefore, is the policy that persists in constructing railways and canals to avoid contact with the territory of the American republic—a republic which never had any but the kindliest feeling toward the brethren dwelling north of the boundary line. In spite of Webster and Seward and Greeley, the people of the United States are willing to allow the Canadians time enough to work out their own destiny "without let or hindrance"; and any ebullitions of spirit that have been shown regarding the Washington treaty or the Halifax award must be considered as merely temporary, and not likely to affect the general result.

The movement for annexation, it will be readily inferred, must come from a cordial assent of the Canadians to the breadth and scope of our American institutions. Delays will come, for the reasons above noted, and for the further reason that, whichever party holds the Government, there will be reluctance to turn it over to the United States; while the party in opposition will still be encouraged by sufficient hope of success to delay any consummation. Hence Lord Dufferin, for Mr. Mackenzie. treated the subject with ridicule; Mr. Mackenzie himself contended that it was quite consistent for Canada and the United States to co-exist with different forms of government; and the late Hon. George Brown, in the Toronto "Globe," denied the existence of an annexation sentiment among the masses, and affirmed that it was confined to "some American citizens in our midst, and perhaps a half-score of native disappointed sucklethumbkins." The conservative side of the house is equally positive, and it would sooner think of welcoming Maine into the Dominion than of promoting annexation.

Amid such a protest against a political change, the comment of a recent Consul-General to Canada is appropriate: "It is like a lady who constantly affirms that she will never marry; but who, in most instances, embraces the first eligible opportunity to do so." That such a step is in contemplation is shown by the more independent portion of the Canadian press. The Hon. James Little also bears this testimony: "I have conversed with business men, traders, mechanics, lumberers, real estate owners, lawyers, and others, and have failed to meet with but two who did not strongly express their conviction that annexation is the

only salvation of the country, and I am fully convinced, if the question was fairly put before the people generally, nine-tenths of them who live by honest industry would take the same view, and rejoice at the change."

Why, then, should not the Canadians come, in their own good To the southward of their border they see a nation descended, for the most part, like themselves, from Englishmen. They see the younger and more enterprising men hastening from their native land to join these cousins who speak a common mother-tongue. They also see a prosperous people engaged in the laudable task of paying a public debt, while their own debt threatens financial shipwreck. They see a republican form of government consistent and appropriate in all its parts. a law of the nation dominating that of the several States; and they see a social equality uncontrolled from across the water. Their own situation in these respects shows no points of advantage, but rather the reverse. Even so high an authority as Sir Francis Hincks declares that the question of annexation is one which must not be decided by the majority. Sir Francis may be right, so far as the present temper of the Canadians is concerned; but if the logic of history or "the doctrine of historical progress" is consulted, the lay of the argument is with his opponent, Professor Goldwin Smith, by reason of his clear deductions and his wide acquaintance in either of the two countries. Professor Smith knows-what is apparent to every well-informed American—that the people of the United States will warmly welcome the Canadians, whenever they have made up their minds to cast in their lot and become an integral part of the American Republic.

FREDERIC G. MATHER.